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RHEFHLC/HOMELAND SECURITY CENTER WASHINGTON DC
RHMFISS/DEPT OF JUSTICE WASHINGTON DC
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C O N F I D E N T I A L RIGA 000085

SIPDIS
AMEMBASSY BERLIN PASS TO AMCONSUL DUSSELDORF
AMEMBASSY BERLIN PASS TO AMCONSUL LEIPZIG
AMEMBASSY ATHENS PASS TO AMCONSUL THESSALONIKI

E.O. 12958: DECL: 2020/02/18

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SUBJECT: GOL SPLIT ON SUPPORT FOR DATA PROTECTION AGREEMENT WITH US

REF: STATE 8403; RIGA 66

CLASSIFIED BY: Brian Phipps, POL/ECON Counselor; REASON: 1.4(B), (D)

¶1. (U) Summary: The Ministry of Interior (MOI), which is responsible for law enforcement, enthusiastically supports an over-arching agreement resolving the data privacy issues between the US and the EU in order to facilitate smooth information sharing. The Ministry of Justice (MOJ) and the State Data Inspectorate (SDI) are skeptical of US data protection laws and non-committal about seeking an over-arching agreement. The MOJ has the lead on internal EU negotiations regarding this issue for the GOL. GOL concerns with US data protection laws mirror the concerns in other EU countries. End Summary

¶2. (C) We delivered reftel A demarche to Tija Rinmane, the MOI's Director of European Affairs and International Cooperation, Kristine Pommere, Director of the MOJ's European Affairs Coordination Department, and Aiga Balode, Deputy Director of the SDI. We also discussed the issue with several Latvian members of the European Parliament in advance of the vote on the Terrorist Finance Tracking Program (TFTP) (Reftel B). All of the above contacts and the members of the Latvian Parliament's European Affairs Committee (listed on this website http://www.saeima.lv/Elkom/par_mums_struktura.html) are appropriate contacts on this issue in the future. We also contacted the MFA regarding this demarche, but they referred us to the MOJ as the competent Ministry.

¶3. (SBU) The MOI completely supports working through data protection issues and continuing the exchange of terrorism and law enforcement information between the US and the EU. Rinmane said that the MOI will express support "at every level" for an over-arching agreement on data protection generally and for the TFTP and the Passenger Name Record agreements specifically. She said that the MOI is looking for appropriate ways to express its support to members of both the Latvian and European parliaments. Rinmane acknowledged that many in the GOL and the Latvian public do not trust US data protection laws, but she said that those concerns stem from misunderstandings.

¶4. (SBU) The MOJ is more skeptical of US data protection law. Pommere refused to commit to supporting an over-arching agreement on data protection issues. The MOJ will take the lead for the GOL during EU discussions about this issue. Pommere deflected questions about Latvia's position on this issue and repeated multiple times that Latvia will follow the EU consensus and closely examine any proposals that develop during internal EU discussions or during discussions with the US. She said that the European

Commission will seek a mandate to negotiate a data privacy protection agreement with the US in February. She supported granting the mandate and believed it will be granted soon.

15. (U) The SDI, the GOL's lead data privacy agency, is not confident that US data privacy protection laws are adequate. Balode said that the GOL's concerns mirror those of other EU member states. She specifically listed the Privacy Act's allegedly weak protection of foreigners' personal information, the absence of a single US agency responsible for data privacy, and concerns about how personal data is shared between different US agencies as some of Latvia's concerns.

16. (U) Comment: Kelly Busby, BusbyKH@State.gov, has the lead on this issue for Embassy Riga.
GARBER